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8 **BEFORE THE**
9 **BOARD OF REGISTERED NURSING**
10 **DEPARTMENT OF CONSUMER AFFAIRS**
STATE OF CALIFORNIA

11 In the Matter of the Statement of Issues
12 Against:

13 **JESSICA DAWN LEGG**
14 **71 Valley View Drive**
Oroville, CA 95966

15 Respondent.

Case No. **2012-293**

STATEMENT OF ISSUES

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17 Complainant alleges:

18 **PARTIES**

19 1. Louise R. Bailey, M.Ed., RN ("Complainant") brings this Statement of Issues solely
20 in her official capacity as the Executive Officer of the Board of Registered Nursing ("Board"),
21 Department of Consumer Affairs.

22 **Application for Licensure by Examination**

23 2. On or about September 9, 2010, the Board received an Application for Licensure by
24 Examination from Jessica Dawn Legg ("Respondent"). On or about September 8, 2010, Jessica
25 Dawn Legg certified under penalty of perjury to the truthfulness of all statements, answers, and
26 representations in the application. The Board denied the application on May 11, 2011.

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4. Section 480 of the Code states, in pertinent part:

(1) Been convicted of a crime. A conviction within the meaning of this section means a plea or verdict of guilty or a conviction following a plea of nolo contendere. Any action that a board is permitted to take following the establishment of a conviction may be taken when the time for appeal has elapsed, or the judgment of conviction has been affirmed on appeal, or when an order granting probation is made suspending the imposition of sentence, irrespective of a subsequent order under the provisions of Section 1203.4 of the Penal Code.

5. Code section 2761 states, in pertinent part:

(f) Conviction of a felony or of any offense substantially related to the qualifications, functions, and duties of a registered nurse, in which event the record of the conviction shall be conclusive evidence thereof.

(Criminal Conviction)

a. On or about June 12, 2009, in the Superior Court, County of San Diego,

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1 circumstances of the crime are that on May 1, 2009, Respondent was arrested for driving under
2 the influence of alcohol. Respondent's blood alcohol level measured .26% and .25%.

3 **SECOND CAUSE FOR DENIAL OF APPLICATION**

4 **(Acts Which if Done by a Licentiate Constitute Grounds**
5 **for Suspension or Revocation of a License)**

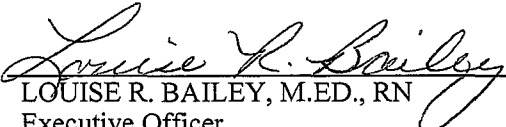
6 7. Respondent's application is subject to denial pursuant to Code sections 2736 and
7 480, subdivision (a)(3)(A), in that Respondent has committed acts which if done by a licentiate
8 would be grounds for suspension or revocation of a license under Code sections 2761,
9 subdivisions (a) and (f), and 2762, subdivisions (b) and (c), as more particularly set forth in
10 paragraph 6, above.

11 **PRAYER**

12 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,
13 and that following the hearing, the Board of Registered Nursing issue a decision:

- 14 1. Denying the application of Jessica Dawn Legg for a Registered Nurse License; and,
15 2. Taking such other and further action as deemed necessary and proper.

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19 DATED: November 8, 2011


LOUISE R. BAILEY, M.ED., RN
Executive Officer
Board of Registered Nursing
Department of Consumer Affairs
State of California
Complainant

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